

said combined annular area so as to realize either an end to end, end to side, side to end or side to side joint.

42. (amended) . The method of claim 41(amended), wherein the steps (a) to (d) are superseded by the following steps:

- a) providing a flexible annular stapler comprising two interacting round jaws and an inflatable balloon at the top of said stapler;
- b) inserting said balloon and said jaws into a first one of the two parts while making use of said inflatable balloon for dilating the path in said parts; advancing said jaws to where one jaw is inside the first part and the other jaw is inside the second one of the two parts, each jaw being substantially near the respective chosen plane for said joining;
- c) for each of the two parts, either shrinking the opening so as to form an at least partially closed butt that encloses the respective one of said jaws, or pressing the tissue surrounding the opening to form a pair of adjoining lips so as to enclose the respective one of said jaws and stapling said lips together by means of a linear stapler, and
- d) operating said annular stapler so as to pull the two said butts together and essentially combine the two annular areas into a combined annular area, to staple the two parts of hollow organs or segments to each other over said combined annular area and to cut away portions of said butts that are central to said combined annular area so as to realize either an end to end, end to side, side to end or side to side joint.

43. (amended). The method of claim 42 (amended), wherein said inserting is effected through a natural opening of the patient's body.

### REMARKS

Reconsideration of the above-identified application in view of the amendments and the remarks following is respectfully requested.

Claims 41-55 are pending in the application. Claims 44-55 have been allowed and are deemed to be in order. Claims 41-43 have been rejected by the Examiner under § 102(b). Independent claim 41 and its depending claims 42 and 43 have been amended to place them in conditions for allowance.

The claims before the Examiner are directed toward methods for joining together two parts of different hollow organs or segments of same hollow organ through a stapled anastomosis, by the means of a flexible annular stapler to present applicant. All varieties of joints (i.e. either end to end, end to side, side to end or side to side anastomoses) are concerned.

Also, these methods are subject to realization under open and/or more particularly under closed surgery conditions. (i.e. non invasive laparoscopic and/or thoracoscopic conditions).

Page 29 (lines 1-23) and page 30 (lines 1-18) in present specification give the common basis to the methods or surgical procedures described in the present claims. The Examiner is therefore, respectfully requested to devote a particular attention to those pages